

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

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In the Matter Of  
IMPROVING COMMISSION PROCESSES

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PP Docket No. 96-17

Comments from the  
NATIONAL TRANSLATOR ASSOCIATION

This is in response to the Commission's request for suggestions to improve the processing of applications and other functions of the various departments of the Commission. It has become a concern of the National Translator Association (NTA) of the long delays connected with the filing of an FM Translator application. In this light, the NTA had formed a sub-committee to come up with some suggestions to submit for consideration to the FEDERAL COMMUNICATIONS COMMISSION on how the processing of applications could possibly be shortened under the current work load.

We hereby submit the following suggestions:

(1) This augments the changes mentioned in the document, Subject E. MASS MEDIA BUREAU (MMB), Paragraph 52 relating to some of the actions already in process. Namely, those Petition to Deny that, in reality, are frivolous and which sole purpose is to delay the applicant or get the application denied because it would be competitive in the market place, or some other motive.

The NTA suggest that the Commission require all filers of a Petition to Deny be required to submit the same filing fee that the applicant was required to do in the original filing. At such time as the FEDERAL COMMUNICATIONS COMMISSION has an opportunity to render a decision, if the petitioner is granted relief, his filing fee is returned. If a decision is rendered in behalf of the applicant, then the petitioner would forfeit his Petition to Deny fee. Hopefully, this requirement would cause a petitioner to seriously consider whether his complaint has merit and worth risking the filing fee. This seems only fair to the applicant, since win or lose, his fee, in either case, is considered an expense item.

This suggestion would tend to reduce the Commission's work load of Petitions to Deny - because, only those petitions worthy of consideration would be submitted.

(2) The NTA believes that the refiling of FM translator stations that have been displaced by a full power FM stations should be granted special consideration. By that, we mean that the application should be given special attention and "go to the head of the line" in the normal routine

of processing. We remind the Commission that in the case where TV translators are displaced in this manner, they receive special consideration above the normal flow of application processing. Furthermore, such action would limit the down time service to the public by an earlier return of the translator service.

(3) This suggestion appears to specially relate to paragraph 57 in the desire to reduce the filing requirements of certain small stations.

We suggest that special consideration be given to applicants of those FM translator stations that specify an ERP of no more than 10 Watts, that they be allowed to notify all FM channel users within 100 km radius of the proposed facility of their intention to file for a FM translator station, and that pertinent data be submitted with the notice. This would not nullify the public notice requirement. If there are no objections filed, the applicant would certify that this has been done and that there were no outstanding objections to filing. The application would then be filed with the FCC, checked to see if all the criteria is met, entered into the data base, given a file number and call sign, and an early construction permit be granted. This procedure would greatly reduce the Commission's work load while at the same time allowing for very little risk of interference to other stations inasmuch as the ERP is limited and all those concerned have, in effect, approved the filing action.

(4) The NTA recognizes that the increased work load of newly filed FM translator applications upon the MMB has been brought about mainly by a great influx of satellite fed translator applications. We perceive these filings to increase with a resultant increase in work load and expanded processing delays. We suggest that consideration be given to limiting the number of applications that a station can apply for in a one year period. A realistic suggestion is 20 - 25 applications per year. We do not advocate limiting terrestrial fed translator applications since the probability of any one applicant filing a large number is nil.

(5) This suggestion is quite extensive. Basically, it calls for contracting out the engineering portion of the FM translator application process in order to reduce the present and future work load of the MMB. The contracting cost would be covered by an additional fee for this purpose, but would be an optional service to the applicant - with the understanding that the additional fee would afford an earlier processing of the application. We would also advocate allowing those non-commercial applicants to subscribe to the contracting service, but at the cost of the fee. We offer the following specific suggestions:

The contractor would be required to possess a knowledge of the applicable regulation, have a knowledge of RF function and behavior - perhaps hold a General Radiotelephone Operators License, have a computer facility capable of interfacing with the Commission's computer data base by modem, work off an approved check list and be required to spend time in Washington, DC to become familiar with the MMB's processing and requirements. We visualize up to five qualified contractors nationally that would be authorized to process the applications. The Audio Section would distribute the work load among these contractors without favor. When the processing of the application by the contractor is complete, it would be return to the Commission with the appropriate comments and recommendations for the final processing.

Contracting out government work has precedence in nearly all Agencies of the US Government.

The National Translator Association consist of approximately 150 member/operators and serve and estimated 20.5 million people. Our mission is to improve our service and to provide additional service with additional translators. We believe that the above suggestions have merit in allowing the Commission to become more efficient, and are worthy of serious consideration and implementation

.Respectively submitted,

Quinton W. Goode,  
NTA, FM Sub-committee Chairman

P.O. Box 628  
Lake Havasu City, AZ 86405-0628